



need for appointment of counsel or any further time for response.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Finding of Fact, as well as the objections filed by the plaintiff.

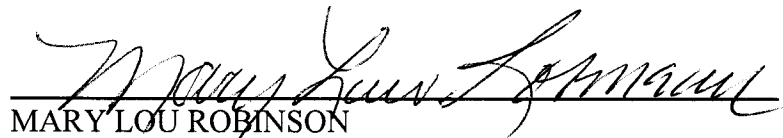
The Court is of the opinion that plaintiff's objections should be OVERRULED and the Finding of Fact of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does hereby ADOPT the Finding of Fact of the United States Magistrate Judge in this case that plaintiff did not deliver the Notice of Appeal in this case to prison officials on or before January 10, 2013 and that the evidence shows plaintiff deposited his Notice of Appeal into the internal mail system of the Segovia Unit on or about January 15, 2013.

The Clerk will transmit a copy of this Order to the United States Court of Appeals for the Fifth Circuit in order to supplement the record on appeal in this cause.

It is SO ORDERED.

Signed this the 23rd day of July, 2013.

  
MARY LOU ROBINSON  
United States District Judge